

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Having advised the court that the parties have agreed to a settlement of this case;

IT IS HEREBY ORDERED that this cause of action be dismissed with prejudice, provided, however, that if any party hereto shall certify to this court, within ninety days, with proof of service of a copy thereof, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

Dated: February 22, 2008

Mark

VAUGHN R WALKER
UNITED STATES DISTRICT CHIEF JUDGE